

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

WP(C).No. 26713 of 2007(E)

PETITIONER:

1. M.SAIDALAVI, S/O H.MUHAMMED,
CASUAL LABOURER, MALAMPUZHA GARDEN,
GANDHI NAGAR, MALAMPUZHA.
2. H.HANEEFA, S/O HYDROSE(LATE),
CASUAL LABOURER, MALAMPUZHA GARDEN,
GANDHI NAGAR, MALAMPUZHA.
3. V.ANDAVAN, S/O VELAN,
CASUAL LABOURER, MALAMPUZHA GARDEN,
S.P.LANE, 4/3, MALAMPUZHA.
4. A.BABU, S/O LATE ARUMUGHA.K.,
CASUAL LABOURER, MALAMPUZHA GARDEN,
DURGA NAGAR, CHERAD, MALAMPUZHA.
5. S.THANKAVELU, S/O CHADAYAN,
CASUAL LABOURER, MALAMPUZHA GARDEN,
S.P.LANE, 6/5, MALAMPUZHA.
6. S.LATHA, D/O SWAMINATHAN,
CASUAL LABOURER, MALAMPUZHA GARDEN,
VARANI, MALAMPUZHA.
7. K.ALI, ANAKUZHICKAD, CASUAL LABOURER, MALAMPUZHA
GARDEN, MALAMPUZHA.
8. B.RAJENDRAN, S.P.LANE, 19/1,
MALAMPUZHA, CASUAL LABOURER, MALAMPUZHA GARDEN,
MALAMPUZHA.

BY ADV. SRI.P.RAVINDRAN

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RESPONDENTS:

1. GOVERNMENT OF KERALA, REP. BY
SECRETARY, DEPARTMENT OF IRRIGATION,
SECRETARIAT, THIRUVANANTHAPURAM.
2. CHIEF ENGINEER, IRRIGATION DEPARTMENT,
THIRUVANANTHAPURAM.
3. EXECUTIVE ENGINEER,
IRRIGATION DIVISION, MALAMPUZHA.

BY ADV. SRI. BIJOY CHANDRAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

V. GIRI , J
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W.P.(C) NO. 26713 OF 2007

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Dated this the 7th day of September, 2007.

JUDGMENT

The petitioners are the casual labourers employed in Malambuzha Garden. They claim to be engaged as Hand Receipt workers continuously for more than 10 to 12 years on daily wages. According to them, on account of the fact that they have been engaged for a long period of time, the Government must take steps to regularise their service on the basis of existing Government Orders. In Ext.P2 representation, they referred to a decision apparently taken at a meeting presided over by the Minister for Irrigation on 15.05.2007. Ext.P2 representation is pending before the Chief Engineer.

2. In my opinion, the decision can be taken only by the Government. In the result, the 2nd respondent shall forward Ext.P2 to the Government and the Government may sympathetically consider the case of the petitioners and similarly situated persons. I am not expressing any opinion regarding the

merits of the claim made by the petitioners. The direction is only to consider the case and appropriate decision shall be taken in that regard. The 2nd respondent shall forward Ext.P2 to the Government within a period of one month and the Government shall take a decision within four months thereafter, if necessary, after hearing the petitioner and any other affected persons in accordance with law.

The writ petition is disposed of as above.

V. GIRI, JUDGE.

rv

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